

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRIAN ALLEN MILLER,

CASE NO. 07-CV-10177

Plaintiff,

-vs-

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

CHARLES EICHENLAUB, et al.,

MICHAEL HLUCHANIUK
UNITED STATES MAGISTRATE JUDGE

Defendants.

ORDER

**(1) ADOPTING THE MAGISTRATE JUDGE'S JULY 17, 2008 REPORT AND
RECOMMENDATION; AND (2) GRANTING DEFENDANTS' MOTION TO DISMISS**

Before the Court is the Magistrate Judge's July 17, 2008 Report and Recommendation granting Defendants' February 19, 2008 Motion to Dismiss. Neither party has filed timely objections under 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b)(2). Having reviewed the Magistrate Judge's conclusions of fact and discussion of law, the Court hereby:

- (1) **ADOPTS** the Magistrate Judge's Report & Recommendation (Doc. No. 21); and
- (2) **GRANTS** Defendants' Motion to Dismiss (Doc. No. 17).

SO ORDERED.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: August 13, 2008

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on August 13, 2008.

s/Denise Goodine
Case Manager